



M O N T A N A  
C O A L I T I O N   A G A I N S T  
D O M E S T I C   A N D   S E X U A L  
V I O L E N C E

To: Subcommittee on Corrections and Public Safety  
From: Kelsen Young, Executive Director  
Montana Coalition Against Domestic and Sexual Violence  
Re: Funding for Forensic Rape Examination Payment Program in DOJ Budget  
Date: January 31, 2007

EXHIBIT 11  
DATE 1-31-07  
HB \_\_\_\_\_

Mr. Chairman and members of the committee, I come before you today to request your support, and encourage you to provide funding for, the Forensic Rape Examination Payment Program (FREPP) in the Department of Justice budget. This important program was created by the 2005 Legislature and passed both houses of the Legislature with overwhelming support. Yet at the time the legislation passed, it was only a one-time biennial appropriation. The Legislature committed \$61,000 to the creation and maintenance of this program, \$11,000 of which was spent on materials and forensic rape kits that were distributed across the state. Of the \$50,000 set aside to cover the cost of reimbursing hospitals, only approximately \$8,000 has been spent to this point.

There are many reasons why this program has expended limited funds over the last two years. First of all, the program was not fully functional and available for use until November of 2005. Since then, the Office of Consumer Protection and Victim Services and our organization have provided continuing education about the availability of the program to advocates, hospital staff, law enforcement and others. Other factors diminishing the utilization of the program have been resistance from hospitals, lack of wide spread public knowledge, and primarily confusion about how the program operates. These types of delays would be present with any new program. We are doing our best to educate and inform service providers in the hopes that this program will be utilized to it's potential and we need more time.

The staff administering the FREPP program indicate that they have processed 28 forensic exam kits since the program's inception. They have estimated that they will receive approximately 50 more kits in the next two years. The maximum cost for each kit is \$600 (maximum allowable reimbursement amount to hospitals) which will result in a financial need of approximately \$30,000. As indicated by the Attorney General's office, they are primarily requesting to carry over the leftover funds from last year, with an additional small new appropriation. We strongly urge you to support this budget adjustment and not leave the program without funds to operate. The program must still continue as mandated by statute – it will just not have adequate funding to do so.

We strongly believe in the mission and purpose of the FREPP program. The program was established to recognize and honor the experience of sexual assault victims who need time to be able to decide to make a report to law enforcement after they have been victimized. The purpose of the program remains – to hold perpetrators of sexual assault accountable – not to discourage reporting by victims. The reality is that sexual assault victims need time to be able to make these difficult decisions yet still have necessary evidence collected in a timely and appropriate manner.

I strongly urge your support for this program and request that you approve the budget amendment and do your part to support victims of sexual assault.

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